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JUDGE'S SONS TO DEFEND HIS BAN ON PRESS

'I'll Turn Them Loose on
Newton D. Baker,' Says
Kentucky Jurist.

TEST COMING THURSDAY

Knoxville News-Sentinel to
Attack 'Gag Order' in
Court of Appeals.

By FOSTER EATON
United Press Staff Correspondent

MT. STERLING, Ky., Jan. 6.—A Kentucky bluegrass circuit judge who reared two sons as attorneys has called upon them to defend him in a state appellate court action in which opposing counsel will be led by a former secretary of war, a potential presidential candidate.

"I spent a lot of money educating these boys to be lawyers and I'm going to turn them loose on Newton D. Baker," Judge Henry R. Prewitt of Montgomery county circuit court here said today in discussing his plans for defense of a now famous court order against the Knoxville News-Sentinel.

"I'm not sure I can get away from the hearing at Frankfort tomorrow," Judge Prewitt explained.

"I am trying a murder case here now and it all depends upon how that trial progresses. It would mean the loss of half a day at a cost of \$250 to the county if I went over there."

Thursday, Baker is scheduled to argue before Chief Justice Richard Priest Dietzman of the Kentucky court of appeals, for a writ of prohibition to nullify Judge Prewitt's order excluding any representative of the News-Sentinel from his court here because of the paper's editorial policy.

Allen Prewitt of Frankfort, a graduate of Princeton, and Reid Prewitt, University of Kentucky graduate, will represent their father in the action, which the News-Sentinel regards as involving constitutional rights of freedom of the press and which the jurist considers "a plain case of contempt of court—nothing more."

Judge Prewitt today issued an order reversing, on a technicality, his Monday exclusion order against Jack Bryan, a Knoxville News-Sentinel correspondent, but he left in effect his general order barring all News-Sentinel representatives from his court.

A hearing will be held at Frankfort Thursday on an appeal against this general disbarment.

Confident of Counsel
The News-Sentinel published several editorials in comment upon the Harlan county labor war murder cases heard by Judge Prewitt, one of which Judge Prewitt held was "libelous, slanderous and false."

He ruled that until retraced he would bar all News-Sentinel staff reporters, particularly John T. Moutoux and Jack Bryan.

Judge Prewitt expressed full confidence in the legality of his sons to defend him in the Frankfort action. He said he could think of no constitutional grounds upon which the News-Sentinel could successfully litigate in the appellate court his lower court dictum.

Years ago, Judge Prewitt attended Transylvania college, later went west, studied law in Kansas, was admitted to the bar, returned to Kentucky and became chairman of the Democratic state executive committee, as well as circuit judge.

Newton Baker on Way

CLEVELAND, Jan. 6.—Newton D. Baker will leave at midnight tonight for Frankfort, Ky., where he will appear Thursday before the Kentucky court of appeals in behalf of the Knoxville (Tenn.) News-Sentinel, which is seeking reversal of an order of Circuit Judge Henry Prewitt, barring the newspaper's representatives from his court at Mt. Sterling.

HOLD NEGRO LEGGERS

Police Say They Sold Poison Hooch From Which Man Died.

Suspected of having sold poisoned liquor which caused the death of one man and another to become insane, two Negroes were held by police today on blind tiger and vagrancy charges.

They are John Reynolds, 46, and Will Meadows, 60, both of 1629 Boulevard Place. Police said a quantity of liquor was confiscated at the place. A sample was sent to city chemists for analysis.

Arrests resulted from investigation of the death of George Overton, Negro, 146 West Eighteenth street, recently, and of Jacob Van Blericum, 1711 North Capitol avenue, becoming insane from liquor.

SHERIFFS WILL MEET

Congressional District Chairmen Will Be Named Here.

Chairmen for each of Indiana's new congressional districts are to be chosen at the Indiana Sheriffs' Association meeting at the Marion county jail at 6 p. m. tonight.

Sheriff Charles (Buck) Surner of Marion county is completing arrangements for the affair, and will be host to sixteen sheriffs from various parts of the state.

New officers of the association, headed by Fred G. Lunz, Allen county, president, will attend. Dinner will be served at 6 followed by a business session at which the chairmen will be selected.

SUGGESTS VETERAN AID

Indianapolis Doctor Says Disabled Should Occupy Hospitals.

Greater use of private-owned hospitals by the government to avoid additional competition by new veterans' institutions was urged by Edward D. Clark, retiring Indianapolis Medical Society president, at the society's inaugural meeting Tuesday night at the Marrott.

Dutch Treat

That's Way to Buy Drinks
and Stay Temperate,
Says Brewer Busch.

By United Press

ST. LOUIS, Jan. 6.—August A. Busch, proponent of beer for prosperity's sake, revealed himself today as a staunch advocate of the "Dutch treat" system of buying drinks.

The elderly president of Anheuser-Busch, Inc., blamed the American custom of "buying a drink for the other fellow so he will buy a drink for you" for much pre-prohibition drunkenness.

"The European system—popularly known as the 'Dutch treat'—should become an American custom if beer comes back," he said.

"When a man buys his own drinks he is more moderate. The American custom of round after round caused intoxication, and gave the prohibitionists one of their strongest weapons."

Busch, a genial figure, still clings to the sideburns of the nineties.

"I don't know when, but beer is coming back—there is no other way out," he asserted emphatically.

Busch advocates "beer parlors," open certain hours daily.

QUIZ BEGUN ON

STATE REFUGE

Charities Board Will Probe

Children's Home.

Investigation into reported improper management of the Soldiers' and Sailors' home for children at Knightstown was launched today by John A. Brown, secretary of the state charities board.

Brown said his investigation is based on information received from Leslie A. Courtney, home superintendent. He said he was not informed of charges made by H. H. Evans, state representative, to Governor Harry G. Leslie.

Leslie received affidavits from Evans, with whom he has been conducting a letter-writing battle on state affairs, that children were beaten and mistreated at the home, and smoked in violation of regulations.

The governor sent the affidavits to Courtney. Signers of the writs were A. H. Jones, discharged night watchman, and Cliff Cross, farmer, living near the home.

FIGHT PENSION CASE

Trustees to Appeal \$14,850

Award to Fireman.

An appeal will be filed in the Indiana appellate court to prevent William Stuck, former city fireman, from collecting a \$14,850 judgment awarded Tuesday by Judge Fred E. Hines of the Hamilton county circuit court at Noblesville.

This was announced today by James E. Deery and Merle N. A. Warner, attorneys for Indianapolis firemen's pension fund.

Stuck, who was a fireman in 1908 and 1910, won his case in the Hamilton circuit court, after it had been taken from Marion county superior court three on a change of venue.

The suit, to recover back pension, was filed here in September, 1928.

Pension fund trustees maintain that Stuck never was entitled to a pension because he did not remain on the force a full ninety-day period, compulsory before admission to full standing.

ALARMED OVER BRIAND

Paris' Anxiety Persists Despite Assurance Illness Is Minor.

By United Press

PARIS, Jan. 6.—Anxiety over the health of Foreign Minister Aristide Briand continued today despite official assurances that the 69-year-old statesman was not seriously ill but merely weakened by a diet prescribed for his recent poor condition.

Ingenuity, when it interferes with the duty of enforcing laws, has no place in the Indianapolis police department. This was the edict today.

Two officers, said to have a propensity to violate regulation methemorphosis, were suspended by Chief Mike Morrissey, after he probed details of their latest invention.

Patrolmen Fred Staggs and Charles Reardon, according to the chief, had found a way to eat their supper while they were supposed to be on duty in a radio cruising car.

They entered the barbecue on West Twentieth street at the supper hour Tuesday night.

One carried the loud speaker taken from the radio in the rear of the cruising car. The other carefully held the wire of the speaker and the police shotgun, carried as emergency equipment.

The loud speaker, placed on a

table, then rasped out police reports and call numbers that officers must record. The shotgun rested against the wall of the Blue Hour.

But the accident that occurs in the best of regulated police squads happened. Some one knocked over the gun and it discharged.

The officers and regular patrons of the Blue Hour were on the outside when the smoke had cleared, and the slugs had passed through the barbecue wall and lodged in the rear of the police automobile.

Morrissey said he had information several radio police officers were masters at the art of "remote control."

In addition to suspending Staggs and Reardon, the chief opened an investigation of other inventive officers' activities and issued orders that one officer remain in the car while the other eats, and that shotguns be unloaded except when in use.

By H. ALLEN SMITH
United Press Staff Correspondent

NEW YORK, Jan. 6.—A young lady from Denver came into town Tuesday night, stopped off for the Lenz-Culbertson bridge match, and suddenly said to herself:

"Golly Moses."

The young lady from Denver was a young lady in quest of a

ALL EVIDENCE VANISHES; DRY SLEUTH FREED

Witnesses Fail to Appear,
When Delay After Delay
Is Granted.

GUN COUNT DISMISSED

Drunkenness and Disorderly
Conduct Charges Also
Are Lost.

Delays and vanishing witnesses have wiped out the state's case against Patrick Currie, federal dry agent, who, it was alleged, was drunk and disorderly when he shot up the Happy Hour barbecue Oct. 15.

Since the morning more than two and a half months ago when the dry operative was arrested, county prosecuting officials have been unable to obtain witnesses or evidence in the case.

The final chapter in the case was written Tuesday afternoon, when Currie was discharged by Wilbur Royce, special municipal judge, on a charge of drawing a deadly weapon. This third and last count against Currie was dropped because of "lack of evidence."

Arrested on Three Charges

When deputy sheriffs arrived at the barbecue on the Rockville road, early Oct. 15, their investigation resulted in Currie's arrest on counts of drunkenness, disorderly conduct and the weapon charge.

That day the case was continued until Oct. 30. On the latter date it was postponed to Nov. 20 and then to Dec. 2.

Currie failed to appear in court Dec. 2 and his superiors in the federal prohibition department assured that he would be there the next time. He was. That was Dec. 4 and the case was continued to Dec. 30.

When the case was called on the last date, Ed Kassenbrock, deputy sheriff, was the sole witness. Kassenbrock explained that Currie had been "drinking," but was not staggering drunk.

Charge Is Dismissed

With no other witnesses, Royce dismissed the drunk and disorderly counts, and continued the weapon allegation hearing until Tuesday afternoon.

Kassenbrock held the stage as the lone supporter of the state. But this time he had nothing to offer. He had arrived at the roadhouse after the smoke had cleared, and all he knew was Currie had a revolver in his possession.

"Apparently is a government prohibition agent," he has the authority to be armed."

Royce, when he continued the case into the new year, did so, he stated, under the impression that witnesses would be in court to support the charge that Currie drew his revolver and fired several times during his altercation at the barbecue.

Can't Find Signer
Kassenbrock, however, said he "was unable to locate" the signer of the weapon affidavit in Danville.

None of the roadhouse operators or employees appeared in court, and Tuesday it was learned they had not been subpoenaed.

Kassenbrock's team mate on the case, deputy Gilbert Thomas, did not appear Dec. 30, when he was reported to be ill. Tuesday no explanation was given for his absence.

Currie's alleged outburst at the roadhouse, which started over a gasoline purchase, did not result in any action by Charles Britt, deputy prohibition administrator of Indiana.

Washington officials are reported to have probed the affair, but no statement has been made concerning what was determined by them.

Members of a Danville (Ind.) American Legion post, who were at the roadhouse during the alleged fracas, never appeared in municipal court for the trials.

Great and past chiefs of the Degree of Pocahontas will install officers of Pocahontas council, No. 350, at the lodge rooms, North street and Capitol avenue, tonight.

Mrs. Llewellyn Brown, retiring Pocahontas, will be succeeded by Mrs. J. A. P. Paris. Others to take office are: Pearl Cavanaugh, Mrs. P. Tobst, Clovie Nichols, drill captain, Hazel Blue, pianist, Bertha Green, keeper of records; Blanche Chew, collector of wampum; Joseph Corbin, keeper of wampum, and May Ray, district deputy.

Fancy drills by Chief Anderson company of Anderson will be a feature of the program. Members and friends of the order have been invited to attend.

Bitter Loat
BEDFORD, Ind., Jan. 6.—Mrs. W. W. Rosenbaum placed a large quantity of quinine in a bottle of milk after repeated thefts. Shortly afterwards the bitter milk was stolen.

The aforementioned lady was not furiously excited about the fact that the score was now 14,175 points in favor of Culbertson. She was, however, somewhat wrought up about a Mr. Michael T. Gottlieb, who played Tuesday night as Culbertson's partner.

Mr. Gottlieb is young and tall and lean and black-haired and he has dimples. Lawsy, the young

lady from Denver liked that. She nabbed him as he came from the playing room and she said:

"Oh Mr. Gottlieb, I think you did lovely."

"Gottlieb," said Gottlieb, bowing politely, "is the name."

This ended the New York career of the young lady from Denver, who retired to her suite to begin chapter one.

Modern Leap Year Girl Propose? Swain Still Pops Question, Says License Clerk



INVASION BY MILK PRODUCERS BRINGS PRICE WAR THREAT

Ears in Peril

Some fair-haired boy of 4 on the north side has the assurance today that if the neighborhood bully ever gets tough again, he will "get his ears cut off."

And that's the warning Capt. Arch Ball sent out after police aid was invoked by the lad Tuesday afternoon.

The "alarm" was sounded by telephone by a boy who did not give his name. It was to the effect that "there's some boy out here in the 3500 block Winthrop avenue smacking everybody's ears down."

"Well, young man, you just tell that bully if he ever gets tough again we'll cut his ears off," was Ball's reply after learning his informant was 4.

"All right," said the boy cheerily, "thanks." And he hung up.

FREAL M'INTOSH ILL

Veterans' Bureau Attorney

Again Is Stricken.

Freal McIntosh, 39, of 678 East Forty-fourth street, regional attorney for the Indiana veterans' bureau, is critically ill at his home, after a relapse Tuesday from an illness of more than a week, it was learned today.

McIntosh, a native of Owen county, is a brother of Calvin McIntosh, former member of the Indiana public service commission.

He was stricken a week ago Tuesday and apparently had recovered Sunday, when he returned to his home from the Methodist hospital.

McIntosh was stricken in his office at the Veterans' Bureau hospital, 2401 Cold Spring road. Physicians indicated he suffered a cerebral hemorrhage, although it first was believed he was ill of cerebro spinal meningitis.

Before enlisting in the army, McIntosh played on the Indiana university football squad in 1916.

POCAHONTAS HEADS TO

BE INSTALLED TONIGHT

Great and Past Chiefs to Be in Charge of Ceremony.

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Disastrous Retaliation by Pool Members Foreseen by County Agent.

Warning that a milk price war of "severe intensity" looms due to price cuts of out-city dealers who are competing with Indianapolis distributors was issued today by Clarence Henry, county agricultural agent.

Since formation of a "milk pool" more than two years ago, smaller dealers have been able to purchase surplus milk cheaper than that distributed by the pool, Henry pointed out.

According to Henry, 75 per cent of the milk producers in Marion and adjoining counties now are members of the pool. He said that with Indianapolis requiring 32,000 gallons of milk daily, "there is three times as much milk as this market can absorb."

Market Is Raided
The distribution price in Indianapolis is in a precarious shape," Henry declared. "Milk is being bottled in Greenfield, Franklin, Plainfield and other places outside Indianapolis and being sold in competition with local dealers, particularly south of Washington street."

"Some of this milk is being retailed as low as 7 cents a quart, much of it at 8 cents, and chain stores are charging 9 cents, while the larger dealers are attempting to hold the price at 10 cents."

"Unless the situation is handled with extreme care, a milk price war of more severe intensity is inevitable before spring. Legitimate established dealers can not indefinitely pay more to pool members for their milk, and try to maintain going prices in the face of such competition."

Counter-Organization Urged

"When our farmers fully realize the true situation it may be too late to avert a disastrous milk war."

Small milk dealers, Henry charged, are "encouraging a counter-organization" to the pool and are supporting farmers who have "not made an accurate market analysis."

He said dealers who are able to buy the surplus milk at 5 cents charged on each pound of butter fat "naturally are against the success of any organization which tends to bring more money to the farmer."

Last month dairy farmers, opposed to the pool, announced they would organize in various townships in Marion and surrounding counties to fight the milk pool. They charged the prices paid milk producers are too low.

A majority of the robbers captured either pleaded guilty or were convicted and sentenced. They were given prison terms aggregating

ing and withheld judgment on a charge of failure to give a police car right of way.

After hearing several witnesses testify today that Glenn Mitchell, 613 North East street, accountant, was drunk when an automobile he was driving crashed into two other cars, Dec. 27, Municipal Judge Clifford R. Cameron took the case under advisement until Thursday morning. Relatives and friends said he was sober.

Mitchell at his trial entered pleas of not guilty to charges of drunkenness, drunken driving and disorderly conduct. He pleaded guilty, however, to a failure to have a driver's license.

POLICE CAR CRASH DRIVER DISMISSED

Albert H. Ward, 21 West Forty-sixth street, driver of a car into which a police auto crashed Dec. 6, injuring Lieutenant Frank Owen, was freed today by Municipal Judge William H. Sheaffer of charges of drunkenness and drunken driving.

Ward, an employee of the Lincoln Refining Company, produced six witnesses who testified he was not drunk when his car was struck by the police squad car at Sixteenth street and Broadway.

Police told Sheaffer that Ward's breath smelled of liquor and that an empty bottle was found in his car.

Sheaffer dismissed the charges of drunkenness and drunken driving.

They'll celebrate birthdays Feb. 29 for the first time in four years. Left to right they are Frances Marie Waggoner, 916 King avenue; Nancy Ruth Waters, 1359 Edgemont avenue; Daniel Edward Hanly, 635 Coffey street, and Ruth Cradick, 506 North Drexel avenue.

Francis will observe her first birthday anniversary, although she will be 4 years old. Nancy will have her second birthday, but her years are 8. Daniel is 12, but this will be his third birthday. And winsome Ruth, although she is 16, will enjoy her fourth anniversary of her birth.

Marriage Permits Issued Disprove Myth of Odd Years.

This is one of a series of stories about what leap year means to Indianapolis.

Contrary to common belief, leap year no longer increases the woes of busy marriage license clerks.

"The modern girl is smart enough not to have to propose to the man of her choice," she just maneuvers the situation so the prospective, but bashful husband, becomes confused and thinks he has proposed," according to Frank Teague, marriage license clerk.

"As a result, every year is a leap year for the modern maid. I've seen a lot of couples come in here to get a marriage license, and in most cases the young lady is less flustered than the man."

Girls Don't Propose
"They kid around, sometimes, that is the less bashful couples do, but I never heard any of them say that the girl proposed."

Records of the Marion county clerk's office reveal that no more marriage licenses are issued in leap years than any other year.

In 1928, a leap year, 3,658 marriage licenses were issued compared with 3,963 the following year, despite the steady decrease each year in number of licenses issued.

Fewer in 1931

The license records show 5,766 licenses to wed issued in 1920, leap year; 4,644 in 1921; 4,091 in 1924, another leap year; 3,641 in 1930, and approximately 3,400 in 1931.

Apparently few couples care for the distinction of being wedded on Feb. 29, thus quartering the number of their wedding anniversaries.

On Feb. 29, 1929, only eight marriage licenses were issued. Twelve were issued Feb. 29, 1924, and none on Feb. 29, 1920, which occurred on Sunday.

BANK HOLDUP LIST IS SHORTER IN 1931

The bank robbery trail in Indiana during 1931 led to meager profits and to prison, it was shown today by figures compiled by the United Press.

An average of only \$4,000 was obtained in the thirty-four bank robberies during the year, the figures reveal. Forty-two of the 105 bandits that participated, including one woman, were captured. Four were slain resisting capture.

A majority of the robbers captured either pleaded guilty or were convicted and sentenced. They were given prison terms aggregating

nearly 500 years. Two received life sentences.

Eleven fewer robberies occurred in 1931 than in the preceding year. The loot in 1930 aggregated \$244,258, compared with \$160,152 in 1931.

Holdups last year were featured by bandits operating in large bands. In fourteen of the robberies, four or more men participated. In one instance ten men comprised the bandit gang and in another robbery there were eight bandits.